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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/528,651	03/21/2005	Erich Erhard Rugamer	WI.1993 PCT-US	8664
7590 Douglas R Hanscom Jones Tullar & Cooper P O Box 2266 Eads Station Arlington, VA 22202			EXAMINER NGUYEN, ANTHONY H	
			ART UNIT 2854	PAPER NUMBER
			MAIL DATE 04/21/2008	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/528,651

**Applicant(s)**

RUGAMER, ERICH ERHARD

**Examiner**

ANTHONY H. NGUYEN

**Art Unit**

2854

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 08 January 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 103-130 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 103-130 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/ISD)
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date: \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_
- Paper No(s)/Mail Date 01/16/2008

## **DETAILED ACTION**

### ***Drawings***

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the web track (claims 110, 111) and the memory unit (claim 127) must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as “amended.” If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either “Replacement Sheet” or “New Sheet” pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Claim Objections***

Claims 103-127 are objected to because it is unclear how “all of said plurality of units” can be in “said at least one web track” (claim 110), and it is unclear which and how “said values” can be read out (claim 127, line 3). Additionally, there is no proper antecedent basis for “said drive units” (claim 103, line 9), “said plurality of units” (claim 110, line 2), “said drive units” (claim 113, line 2), “said several drive units” (claim 114, line 1), “said several of said first signal lines” (claim 118), “said offset values” (claim 127 line 2) and “said values” (claims 127, line 3). The language “a permanent said displacement” (claim 106) has no clear meaning.

The above are simply examples of the errors present. Applicant is required to carefully review the claim and other claims and eliminate all such errors.

To the extent the claims are clear and positively recited structures or limitations, it appears that the following prior art rejection is proper.

***Claim Rejections - 35 U.S.C. § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

- A person shall be entitled to a patent unless --  
(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 103, 106-111, 121-123, and 128 are rejected under 35 U.S.C. 102(b) as being anticipated by Bohrer et al. (US 5,947,023).

With respect to claims 103,106-111 and 121-123, Bohrer et al. teaches a drive unit arrangement for use in a web-fed rotary printing press having a plurality of press units 14, a separate drive motor (M) which independently drives each of the plurality of press units, a drive unit for regulating the separate drive motor (no numerical reference, shown in Fig.2 of Bohrer et al.), means 50 for generating a master shaft angular position set point for each motor (M) and offset value, a first signal line 44 for carrying signal from the means 50 to the drive units, means 52 for controlling, diagnosing and parameterization the drive (Bohrer et al., Fig.2 and the paragraph bridging cols.7 and 8). With respect to claims 107 and 109, Bohrer et al. teaches the one of the plurality of press unit which is a web processing unit 16 connected to the signal line 44 with the drives of a printing group 8 or 10 or 12 as shown in Fig.2 of Bohrer et al. With respect to claim 128, Bohrer et al. teaches the method for driving a web-fed rotary printing press having the steps of providing a plurality of press units 14, providing and using a separate drive motor (M) which independently drives each of the plurality of press units, generating a master shaft angular position set point for each motor (M) and offset value, providing a first line signal 44 for carrying the master shaft angular position set point to the drive units, generating an offset value defining a displacement of the master shaft angular position set point the drive motor using the second signal line for transmitting the offset value to the drive motors (Bohrer et al., Figs.2-4 and the paragraph bridging cols.7 and 8).

### **Claim Rejections - 35 U.S.C. § 103**

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) a patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the

art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 104, 105, 112-120, 124-127, 129 and 130 are rejected under 35 U.S.C. § 103 (a) as being unpatentable over Bohrer et al. (US 5,947,023) in view of Tokiwa et al. (EP 1,287,987 A).

With respect to claims 104, 105 and 113-115, 129 and 130, Bohrer et al. teaches a drive unit arrangement and method for driving a web-fed rotary printing press having substantially the structure and method as recited. Bohrer et al. does clearly teach the higher-order control unit usable to generate the master shaft position and a lower-order drive control unit for each of the separate drive motors. Tokiwa et al. teaches a drive unit arrangement and method for driving a web-fed rotary printing press by having the steps of providing and using a higher-order control unit 8 for a master shaft position and a lower-order drive control unit 9 for each of separate drive motors (MO) as shown in Figs. 1-3 of Tokiwa et al. In view of the teaching of Tokiwa et al., it would have been obvious to one of ordinary skill in the art to modify the drive unit arrangement and method for driving web-fed rotary printing press of Bohrer et al. by providing and using the higher-order and lower order control unit as taught by Tokiwa et al. for optimizing of print quality through adjustment of operating a plurality of press units in a printing press. With respect to claims 124-127, the use of a computing and data processing unit and a memory unit is well known in the art as exemplified by Figs. 3 and 4 of Tokiwa et al. which shows a data and processing unit 83 93 which is connected to a second line (14) and a memory unit 85 for storing data for adjusting the phase of the drive units (Tokiwa et al., paragraph [0127]). With respect to claim 130, Tokiwa et al. teaches the steps of determining a guide value i.e. a drive reference and

issuing or outputting the guiding value in the lower-order drive control unit to a plurality of press unit (Tokiwa et al., Fig.1 and paragraph [0119]).

### *Response to Arguments*

Applicants' arguments filed on January 02, 2008 have been fully considered but they are not persuasive in view of the new ground(s) of rejection(s).

### *Conclusion*

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action.

Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anthony Nguyen whose telephone number is (571) 272-2169. The examiner can normally be reached daily from 9 AM to 5PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Judy Nguyen, can be reached on (571) 272-2258.

Art Unit: 2854

The fax phone number for this Group is (571) 273 - 8300.

/Anthony H Nguyen/  
Primary Examiner, Art Unit 2854